



Case No.

Official Exhibit No.

Disposition:

Identified \_\_\_\_\_

Rejected

Received \_\_\_\_\_

IN THE MATTER OF

Date:

Witness:

Reporter:

No. Pages:

# **EXHIBIT D**

### AFFIDAVIT

Comes now Letitia Parker, who deposes and states upon personal knowledge and belief as follows:

1. I have personal knowledge of the contents of this statement. I am employed by the Riverview Care Center as the Administrator.
2. I began performing the job of Administrator on or about August 10, 2020.
3. I know Louis Brown. Louis was employed as a housekeeper. Roxanne Felton was Louis's direct supervisor.
4. Louis did not like Roxanne because of her sexuality and because he was always late and she did not tolerate his behavior.
5. On August 5, 2020, Roxanne came to my office and informed me that Louis had been verbally aggressive toward her and had cursed at her. She also shared with me that this occurred in front of a resident – Patricia in room 214.
6. Louis's conduct was not acceptable, and it could have resulted in his termination.
7. A decision was made to try to work with Louis and give him a second chance.
8. I brought him into the conference room and disciplined him. I told him that regardless of the situation, cursing at his supervisor was not acceptable and that he would be terminated if he repeated his conduct.
9. On August 12, 2020 Louis was disciplined for returning to work 25 minutes late from lunch.
10. On August 24, 2020 Roxanne told me that she was going to talk to Louis about his work performance. After Roxanne spoke to Louis, she told me that he had repeated the same conduct as before by being verbally abusive toward her and cursing at her.
11. I instructed Roxanne to terminate Louis. The only reason Louis was terminated is because he cursed at his supervisor after being warned that cursing at his supervisor would result in his termination.
12. I made the decision to fire Louis. At the time I made the decision, I did not know whether Louis supported the Union or not.
13. I never witnessed Louis wearing any union paraphernalia or other clothing that would indicate that he supported the Union.

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14. I know Devora Harris. Devora was a CNA on night shift. Her shift was 10:30 p.m. – 6:30 a.m.

15. I have the ability to observe what is occurring at work while I am at home. I periodically check the video on my phone throughout the night just to make sure things are ok.

16. On the night of August 19 and/or the early morning of August 20, 2020, I observed Devora Harris sitting at the table near the elevator on the third floor wrapped in a blanket. Devora appeared to be sleeping. She also was not wearing a mask.

17. The next morning I told Denise, Riverview's Administrative Consultant, that I thought I had observed Devora sleeping. Denise and I then reviewed the video and verified that Devora was sleeping on the job for approximately five hours. She was also not wearing a mask.

18. Denise and I called Devora and told her what we had witnessed. We told her she could be terminated. We then gave her a chance to explain what happened. Devora did not deny that she was sleeping or try to explain her behavior. Instead, she just said -- thank you -- you will be hearing from my lawyer.

19. I made the decision to terminate Devora. The sole basis for my decision was the fact that she was sleeping on the job and neglecting the residents. She also was not wearing a mask thereby further subjecting the residents to the possible risk of contracting COVID-19.

20. I know Herbert Clark. He was a housekeeper at the facility.

21. In Mid-August, the regular maintenance person was (b) (6), (b) (7)(C) On or about August 18, 2020, Roxanne told me she had asked Herbert to change out in an air conditioner in a patient's room, but he refused

22. I then went to see Herbert and asked him to change the air conditioner out. He refused.

23. In total I asked him three times and he refused each time.

24. I then asked Herbert to come with me to Denise's office to talk about his refusal. Denise then asked Herbert to change out the air conditioner.

25. He refused again. He said it was not in his job description.

26. Denise explained that his job description stated that he was responsible for performing other duties, as assigned.

27. Denise then told him that he could do it or clock out and go home. Herbert chose to clock out and go home.

28. Herbert then failed to call in or attend work for several shifts.

29. Several days later Roxanne came to me and asked me to consider giving Herbert a second chance.

30. I agreed to give Herbert a second chance.

31. On August 25, 2020 I was conducting my first staff meeting as the Administrator.

32. Herbert interrupted me throughout the meeting and never let me finish a thought.

33. After the meeting, I made the decision to terminate Herbert solely based on the fact that, after giving him a second chance, he interrupted me throughout my first meeting as the Administrator.

34. During the meeting, I told Herbert on numerous occasions that I would discuss anything he wanted to discuss after I finished the meeting,

35. I do not even recall what Herbert was saying. I was frustrated because he kept interrupting me at my first staff meeting as the Administrator.

36. At the time I made the decision I did not know whether Herbert was for or against the Union.

I HAVE READ AND UNDERSTOOD THE ABOVE 3 PAGES CONSISTING OF 3  
NUMBERED PARAGRAPHS AND I DECLARE UNDER PENALTY OF PERJURY THAT  
THE FOREGOING IS TRUE AND CORRECT.

9-29-20  
Date

  
Signature